

1 Michael Avanesian, Esq. (State Bar. No. 278685)
2 **JT LEGAL GROUP, APC**
3 801 N. Brand Blvd., Suite 1130
4 Glendale, California 91203
5 Tel: 818.276.2477 | Fax: 818.208.4550
6 michael@jtlegalgroup.com

FILED & ENTERED
JUL 10 2017
CLERK U.S. BANKRUPTCY COURT
Central District of California
BY bakchell DEPUTY CLERK

7 Counsel for interested parties,
8 Suk Hyon Kim, Kihoon Kang, Kevin Kim, and You Rim Park

NOT FOR PUBLICATION

UNITED STATES BANKRUPTCY COURT

CHANGES MADE BY COURT

CENTRAL DISTRICT OF CALIFORNIA

LOS ANGELES DIVISION

9
10
11 In re:

12 RAMA KRISHNA CHAPARALA,

13 Debtor.

Case No.: **2:16-bk-15692-RK**

Chapter 7

**ORDER DENYING WITHOUT
PREJUDICE MOTION TO VACATE
ORDER GRANTING OMNIBUS
MOTION OF HOWARD M.
EHRENBERG, CHAPTER 7 TRUSTEE,
FOR ENTRY OF ORDER
AUTHORIZING EXAMINATIONS
PURSUANT TO FEDERAL RULE OF
BANKRUPTCY PROCEDURE 2004**

~~[No hearing required per Federal Rules of
Bankruptcy Procedure Rule 9024]~~

14
15
16
17
18
19
20 On June 7, 2017, Howard M. Ehrenberg, in his capacity as the Chapter 7 trustee (the
21 “Ehrenberg”) duly appointed in the above-captioned bankruptcy case of debtor Rama Krishna
22 Chaparala (the “Debtor”), filed the Omnibus Motion for Entry of Order Authorizing
23 Examinations Pursuant to Federal Rule of Bankruptcy Procedure 2004 [Docket No. 124] (the
24 “Omnibus 2004 Motion”). The Omnibus 2004 Motion was granted, based, in part, on the
25 Declaration of Michaël Fischer in support of the Omnibus 2004 Motion [Docket No. 129] (the
26 “Order”).

27 On July 10, 2017, Interested Parties Suk Hyon Kim, Kihoon Kang, Kevin Kim, and You
28 Rim Park filed a Motion for Order Vacating the Order based on lack of service to them, the

1 scope of examination being improper and because applicable rules were not followed in
2 obtaining said Order.

3 Based on the moving papers, and for good cause appearing therefor,

4 **IT IS HEREBY ORDERED THAT:**

5 ~~1. The Order is Vacated in its Entirety;~~

6 ~~2. Ehrenberg is directed to file individual motions for Rule 2004 Examinations which~~
7 ~~comply with local rules and which provide notice to any party whose records are~~
8 ~~being sought, whether directly or indirectly;~~

9 ~~3. Ehrenberg shall segregate any produced documents pending further order from this~~
10 ~~court; and~~

11 ~~4. The interested parties may file a motion for attorney's fees and costs.~~

- 12 1. The motion to vacate the Rule 2004 examination order is denied because:
13 (1) there is no evidence in support of the motion as required by Local
14 Bankruptcy Rule 9013-1(i); and (2) no notice of hearing on the motion was
15 given as required by Local Bankruptcy Rule 9013-1(a), (c) and (d). See also,
16 Local Bankruptcy Rule 2004-1(f)(motions for protective order regarding Rule
17 2004 examinations require notice of hearing under Local Bankruptcy Rule
18 9013-1(d), or on shortened notice under Local Bankruptcy Rule 9075-1).
19 2. The denial of the motion to vacate order is without prejudice.

20 IT IS SO ORDERED. ###

21
22
23
24 Date: July 10, 2017



25 Robert Kwan
26 United States Bankruptcy Judge
27
28